THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No: 28103 of 2005

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DATED: 02.01.2005

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Between:

Naralasetty Hari Prasad

… PETITIONER

AND

The Sub-Registrar (Registration Stamps)

Bapatla, Guntur District & others.

… RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 28103 of 2005

ORDER:-

This writ petition is filed to declare the action of the 1st respondent in not issuing the Registered Sale Deed No.3822 to the petitioner and subsequent registration in favour of the 3rd respondent as illegal, improper and contrary to law.

Heard the counsel appearing for the petitioner and the learned Government Pleader.

It is stated that the petitioner purchased an extent of Ac.0.47 cents in D.No.390/1, situated at West Bapatla Village, Bapatla Municipality on 17.10.2005 vide document No.3822, but the sale deed has not been issued to him. Therefore, the petitioner made a representation, dated 24.10.2005 for release of the registered sale deed by cancelling the registered sale deed said to have been made in favour of the 3rd respondent.

Having regard to the facts and circumstances of the case, I am of the opinion that the Registrar cannot cancel the registered sale deed, if any, already made in favour of the 3rd respondent and it is for the petitioner to file an appropriate civil suit, but for the reasons that no information has been given to the petitioner pursuant to the representation dated 24.10.2005 as to why the registered sale deed has not been released, it is just and proper to dispose of the writ petition directing the 1st respondent to intimate the reasons for not releasing the sale deed in favour of the petitioner.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the representation dated 24.10.2005 intimating the reasons for not releasing the original sale deed in favour of the petitioner, within four weeks from the date of receipt of a copy of this order. No order as to costs.

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02.01.2006

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